

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

No. 24-3021

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

MURALI YAMAZULA VENKATA,

Defendant-Appellant.

**UNITED STATES' MOTION FOR A 58-DAY
EXTENSION OF TIME TO FILE ITS ANSWERING BRIEF**

Pursuant to Federal Rules of Appellate Procedure 26(b) and 27 and D.C. Cir. R. 28(e), the United States respectfully moves for a 58-day extension of time within which to file its answering brief, to and including March 6, 2026. The government's brief is currently due on or before January 7, 2026. Counsel for Defendant-Appellant Venkata does not oppose this motion. The government requests that this Court grant the motion for the following reasons:

1. After an eight-day trial, Venkata was convicted on one count of conspiracy to commit theft of government property and to defraud the United States, in violation of 18 U.S.C. § 371; one count of theft of

government property, in violation of 18 U.S.C. § 641; one count of wire fraud, in violation of 18 U.S.C. § 1343; one count of aggravated identity theft, in violation of 18 U.S.C. § 1028A; and one count of destruction of records, in violation of 18 U.S.C. § 1519. After trial, the court granted the government's motion to dismiss the aggravated identity theft count based on the Supreme Court's intervening decision in *Dubin v. United States*, 599 U.S. 110 (2023). The district court then sentenced Venkata to four months of imprisonment to be followed by 24 months of supervised release, with the first eight months to be served on home confinement.

2. Venkata timely appealed. After this Court had granted Venkata's initial request for an extension of time, Venkata moved to hold the case in abeyance pending *United States v. Kousisis*, 605 U.S. 114 (2025). This Court granted that motion in October 2024. After the Supreme Court issued its opinion in *Kousisis*, Venkata moved the Court to remove the case from abeyance and requested 90 days to prepare his opening brief. The Court granted that motion and directed Venkata to file his opening brief on or before September 22, 2025. On September 18, 2025, the Court granted Venkata's unopposed motion to extend his time to file to December 8, 2025.

3. On December 8, 2025, Venkata filed his opening brief raising three issues: (I) Whether the district court erred in declining to give Venkata's requested theory-of-defense instruction; (II) Whether the district court erred by failing to instruct the jury on an element of aiding and abetting an offense; and (III) Whether Venkata's fraud conviction was supported by sufficient evidence.

4. Although undersigned counsel has begun work on the government's answering brief, counsel requires additional time to review the record, research applicable case law, and prepare a brief that addresses the issues in the manner that will best assist the Court in resolving them. Additional time will also be required for internal review.

5. Other work assignments in undersigned counsel's criminal cases have required, and will continue to require, considerable amounts of time. Among other responsibilities, counsel is appellate counsel in *United States v. Long*, No. 25-30241 (5th Cir.); trial counsel in *United States v. Rendon*, No. 24-cr-89 (S.D. Tex.), *United States v. Strother*, No. 24-cr-113 (S.D. Tex.), and *United States v. Akhounova*, No. 24-cr-221 (S.D. Tex.); and is responsible for providing written and oral advice to the Office of the Solicitor General on decisions adverse to the government

from multiple judicial districts in the Eighth Circuit. Additionally, the undersigned will be out of the office for several days during the holiday season on preplanned leave.

For these reasons, the government respectfully requests that this Court grant this motion for a 58-day extension of time, to and including March 6, 2026, to file the government's answering brief.

December 18, 2025

Respectfully submitted,

/s/ Celia Choy

CELIA CHOY

Criminal Division, Appellate Section
U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530
(202) 875-1557
Celia.Choy@usdoj.gov

ADDENDUM

Certificate of Parties and *Amici Curiae*

Pursuant to D.C. Circuit Rules 27(a)(4) and 28(a)(1)(A), the government identifies the following parties, intervenors, and *amici* in this Court:

Plaintiff-Appellee:
United States of America

Defendant-Appellant:
Murali Yamazula Venkata

CERTIFICATE OF COMPLIANCE

1. This motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2) because it contains 585 words, excluding the parts of the motion exempted by Fed. R. App. P. 32(f).
2. This motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this motion has been prepared on a proportionally spaced typeface using Microsoft Word 2019 in 14-point Century Schoolbook font.
3. This motion complies with the privacy redaction requirement of Fed. R. App. P 25(a) because it contains no personal data identifiers.
4. This motion has been scanned for viruses with the most recent version of McAfee Endpoint Security, version 10.50, which is continuously updated, and according to that program, is free of viruses.

/s/ Celia Choy
CELIA CHOY

CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2025, I served the foregoing United States' Motion for a 58-Day Extension of Time to File Its Answering Brief on all litigants via the Court's ECF system. I certify that all participants in the case are registered ECF users and that service will be accomplished through the ECF system.

/s/ Celia Choy
CELIA CHOY